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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/574,820	05/19/2000	Robert A. Veschi	PA1161	1092

7590

04/06/2004

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EXAMINER

JONES, PRENELL P

ART UNIT	PAPER NUMBER
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2667

DATE MAILED: 04/06/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/574,820

Applicant(s)

VESCHI, ROBERT A.

Examiner

Prenell P Jones

Art Unit

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 19 May 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 4 and 5 recites the limitation "the optimum" and "the least cost to terminate the call" respectively in line 1 of claim 4 and in line 2 of claim 5. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliott et al in view of Ranalli et al, Miller et al, Brady.

Regarding claims 1-3, Elliott discloses (Abstract) a multimedia (packetized data (voice)) telecommunication system that transfers information across the Internet, (Fig. 71, col.

250, line 26-60) gateway providing communication between customer processors, providing local dialing access/private dialing plans, (col. 190, line 34-67, col. 197, line 1 thru col. 198, line 67) dial-access using user pin, gatekeeper determining path, (col. 49, line 11-23, col. 154, line 55-67) utilizing Q.931 transmission protocol. Elliott is silent multi-part and dialing "0" local for access, and dialing "1" for remote access, and telephone number registered with a plan for user IP address. In analogous art, Ranalli (Abstract, Fig. 1-3, 5, 6, col. 1, line 38-56, col. 2, line 22 thru col. 5, line 67) discloses correlating registered unique identifier associated with a PSTN telephone number (conventional) to an Internet address wherein a directory service containing identifiers (telephone numbers) and associated IP addresses, packet switched technology, communicating voice over the Internet, (col. 2, line 55-67) searching database using keypad, Miller discloses (Abstract, col. 4, line 38 thru col. 7, line 33) increasing user capacity on a random access channel that includes using multi-part access, communicating signals between base station and mobile terminal (mobile telephone), (col. 7, line 33 thru col. 8, line 67) gateway, multiple users, and Brady discloses (Abstract, Fig. 1, col. 2, line 20-67, col. 4, line 56 thru col. 6, line 67) voice network (Internet telephony) with traditional telephony that includes packetized voice, voice on network (VON), gateways allowing packets to be passed to a public or private internet/intranet (off-network/on-network, remote/local) and associated IP address, keying in sequence numbers. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement multi-part and dialing "0" local for access, and dialing "1" for remote access, and telephone number registered

with a plan for user IP address as taught by Ranalli, Miller and Brady's VOIP communication systems with the teachings of Elliotts telecommunication system, which also utilizes VOIP, for the purpose of increasing user capacity, call management by identifying remote/local calls for billing purposes.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell P Jones whose telephone number is 703-305-0630. The examiner can normally be reached on 9:00-5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 703-305-4378. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Prenell Jones

November 19, 2008


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600 11/24/08